

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): K.F. DAY III et al.      Examiner: Woo H. Choi  
Serial No. 10/822,410      Group Art Unit: 2189  
Filed April 12, 2004      Docket No.: TUC920030193US1  
TITLE: METHOD, SYSTEM, AND PROGRAM FOR PREFETCHING DATA  
INTO CACHE

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted via the USPTO EFS-Web system to Woo H. Choi of the U.S. Patent and Trademark Office on February 13, 2007.

/David Victor/  
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David W. Victor

**RESPONSE TO FINAL OFFICE ACTION SUBMITTED CONCURRENTLY  
WITH A REQUEST FOR CONTINUED EXAMINATION (RCE)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is submitted concurrently with a Request for Continued Examination (RCE) and in response to a final office action in the above case dated November 13, 2006 ("Final Office Action") in which the Examiner rejected claims 17-24 as directed to non-statutory subject matter (35 U.S.C. §101) and rejected all the claims as anticipated (35 U.S.C. §102(e)) over cited art. On January 12, 2007, the attorney for Applicants and the Examiner held a phone interview discussing the rejections. Amendments to the claims were discussed, which Applicants have made herein, and the Examiner said he would reconsider the rejections in view of these amendments. Claims 6, 14, 22, and 25 are canceled and claims 26-31 are added. Applicants submit that all pending claims pending claims 1-5, 7-13, 15-21, 23, 24, and 26-31 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

Amendments to the Claims are reflected in the listing of claims which begins on page 2.  
Remarks/Arguments begin on page 9.